



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wainwright et al.

Examiner: Drew E. Becker

Serial No: 09/936,242

Group Art Unit: 1761

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Docket: 294-107 PCT/US/RCE II

For: AMYLOPECTIN POTATO FLAKES OR
GRANULES AND THEIR USE IN SNACK
FOODS

Dated: February 28, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST CLASS MAIL CERTIFICATE
I hereby certify this correspondence is being deposited with the
United States Postal Service as first class mail, postpaid in an
envelope, addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on April 18, 2007

Signature: Carla Bryan

DECLARATION UNDER 37 CFR 1.132

I, Pieter L. Buwalda, state the following:

1. I am a Food Starch Specialist at the Food Competence Center of the international co-operative AVEBE in Foxhol, The Netherlands, the world's largest manufacturers of potato starch derivatives. I took up this position on December 1 of 2001.

2. Before that I was associated with the Chemistry Department of AVEBE for a period of almost twelve years where I performed research on various starch applications, the last five years mainly food oriented. My specialisation is Chemistry of Starch.

3. I hold a PhD degree in Organic Chemistry from the University of Groningen, the Netherlands, and have written a number of publications and am a co-inventor of various patents relating to Starch Chemistry. In 1997, for instance, I acted as an author on Granular and Molecular Structure of Starch, The 3rd CAFST International Symposium, page 109.

4. A list of my publications was attached to the declaration filed on November 18, 2005.

5. One of the discoveries of the above-identified invention is that snack foods made of potato flakes and/or granules with high amylopectin starch content have unexpectedly increased expansion *vis-à-vis* snack foods made of natural potato starch. The examples of the present application clearly demonstrate such increased expansion.

6. I am the author of the article "Sheer Versatility" in *Potato Business World* May/June 1998. My article only pertains to isolated starch. This can be seen from the text of the article. For example, I discuss starch as a chemical, which may suspended or dissolved, and derivatized. One would not refer to starch in such a manner if one were discussing starch which is still contained in potato pieces (flakes, slabs or granules). Also, I refer to potato starch as a mixture of amylopectin and amylose. Additionally, I speak of starch solutions which have a tendency to retrograde. All these statements cannot relate to potato pieces.

7. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true. Further that these statements were made with the knowledge that willfully false statements, and the like, so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willfully false statements may jeopardize the validity of the application of any patent issued thereon.



Pieter L. Buwalda